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**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON**

DUANE HOPKINS,) Case No.
)
Plaintiff,) COMPLAINT FOR VIOLATION
) OF FEDERAL FAIR DEBT
vs.) COLLECTION PRACTICES ACT
) AND INVASION OF PRIVACY
MERIDIAN MANAGEMENT)	
SOLUTIONS, LLC,)
)
Defendant.)

I. NATURE OF ACTION

1. This is an action for damages brought by an individual consumer for Defendant's violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.* (hereinafter "FDCPA") and of the Revised Code of Washington, Chapter 19.16, both of which prohibit debt collectors from engaging in abusive, deceptive, and unfair practices. Plaintiff further alleges a claim for invasion of privacy by intrusion, ancillary to Defendant's collection efforts.

COMPLAINT FOR VIOLATIONS OF THE FAIR
DEBT COLLECTION PRACTICES ACT-5

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3 **II. JURISDICTION**

4 2. Jurisdiction of this Court arises under 15 U.S.C. § 1692k(d).

5 **III. PARTIES**
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7 3. Plaintiff, Duane Hopkins, is a natural person residing in the State of
8 Washington, County of Pend Oreille, and City of Newport.

9 4. Plaintiff is a “consumer” as defined by the FDCPA, 15 U.S.C. §
10 1692a(3), and a “debtor” as defined by RCW § 19.16.100(11).
11

12 5. At all relevant times herein, Defendant, Meridian Management
13 Solutions, LLC, (“Defendant”) was a limited liability company engaged, by use
14 of the mails and telephone, in the business of attempting to collect a “debt” from
15 Plaintiff, as defined by 15 U.S.C. §1692a(5).
16
17

18 6. Defendant is a “debt collector” as defined by the FDCPA, 15 U.S.C. §
19 1692a(6), and a “licensee,” as defined by RCW § 19.16.100(9).
20

21 **IV. FACTUAL ALLEGATIONS**

22 7. At various and multiple times prior to the filing of the instant complaint,
23 including within the one year preceding the filing of this complaint, Defendant
24 contacted Plaintiff in an attempt to collect an alleged outstanding debt.
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1 Defendant's conduct violated the FDCPA and RCW § 19.16 in multiple ways,
 2 including but not limited to:

- 3
- 4 a. Communicating with Plaintiff after having received a letter from
 5 Plaintiff with a request to cease and desist all collection contacts or a
 6 statement that Plaintiff refuses to pay the debt (§ 1692c(c));
- 7 b. Engaging in conduct the natural consequence of which is to harass,
 8 oppress, or abuse Plaintiff, including continuing to contact Plaintiff
 9 despite being previously notified of the fact that the debt is not valid and
 10 that the account information for the account does not match Plaintiffs
 11 information (§ 1692d));
- 12 c. Falsely representing the character, amount, or legal status of Plaintiffs
 13 debt, including falsely stating that Plaintiff owes the alleged debt (§
 14 1692e(2)(A)).

15 9. Defendant's aforementioned activities, set out in paragraph 8, also
 16 constitute an intentional intrusion into Plaintiff's private places and into private
 17 matters of Plaintiff's life, conducted in a manner highly offensive to a reasonable
 18 person. With respect to the setting that was the target of Defendant's intrusions,
 19 Plaintiff had a subjective expectation of privacy that was objectively reasonable
 20 under the circumstances.

21 10. As a result of Defendant's behavior, detailed above, Plaintiff
 22 suffered and continues to suffer injury to Plaintiff's feelings, personal humiliation,
 23 embarrassment, mental anguish and emotional distress.

**COUNT I: VIOLATION OF FAIR DEBT
COLLECTION PRACTICES ACT**

11. Plaintiff reincorporates by reference all of the preceding paragraphs.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully prays that judgment be entered
against the Defendant for the following:

- A. Declaratory judgment that Defendant's conduct
violated the FDCPA;
- B. Actual damages;
- C. Statutory damages;
- D. Costs and reasonable attorney's fees; and,
- E. For such other and further relief as may be just and proper.

**COUNT II: VIOLATION OF WASHINGTON COLLECTION AGENCY
ACT, WHICH IS A PER SE VIOLATION OF THE WASHINGTON
CONSUMER PROTECTION ACT**

12. Plaintiff reincorporates by reference all of the preceding paragraphs.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully prays that judgment be entered
against the Defendant for the following:

- B. Actual damages;
- C. Discretionary Treble Damages;

- 1 D. Costs and reasonable attorney's fees,
2 F. For such other and further relief as may be just and proper.
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5 **COUNT III: COMMON LAW INVASION OF PRIVACY BY INTRUSION**

6 13. Plaintiff reincorporates by reference all of the preceding paragraphs.
7

8 **PRAYER FOR RELIEF**

9 WHEREFORE, Plaintiff respectfully prays that judgment be entered
10 against the Defendant for the following:
11

- 12 A. Actual damages
13 B. Punitive Damages; and,
14 C. For such other and further relief as may be just and proper.
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17 Respectfully submitted this 4th day of March, 2009.
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20 s/Jon N. Robbins
21 Jon N. Robbins
22 WEISBERG & MEYERS, LLC
23 Attorney for Plaintiff
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